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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of:** David C. Challener et al**Date:** July 30, 2004**Application No.:** 10/749,057**Conf. No.:** 7390**File Date:** December 30, 2003**Art Unit No.:** 2131**For:** Apparatus, System and Method for Sealing a Data Repository to a Trusted.....

OFFICIAL

**Please Deliver to:** Office of Petitions**FAX NUMBER:** (703) 872-9306RECEIVED  
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JUL 30 2004

Transmitted from:

SCOTT W. REID, c/o Amirah Scarborough  
Customer Number 25299  
IBM CORPORATION  
P.O. Box 12195  
Dept. 9CCA, Bldg 002  
Research Triangle Park, NC 2770902195

Phone:

(919) 254-2687

Fax:

(919) 254-2649

**Certificate of Facsimile under 37 C.F.R. §1.8(a)**

I hereby certify that the correspondence itemized below is being facsimile transmitted to (703) 872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on July 30, 2004

Amirah Scarborough  
Person mailing document

  
Signature

1. Request and Fee to Delete/Add to Original Erroneously Named....(in duplicate)
2. Consent of Assignee to Correction of Inventorship (2 pages)
3. Notice of Recordation of Assignment Document & Assignment (5 pages)
4. Statement of Non-deceptive intent by person being added (1 page)
5. Statement of non-deceptive intent by person being deleted (1 page)
6. Declaration & Power of Attorney (3 pages)

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Total Pages 17 (including this sheet)**IBM CONFIDENTIAL**

Practitioner's Docket No. RPS920030222US1

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: David Carroll Challener et al

Conf. No. 7390

Application No.: 10/749,057

Group No.: 2131

Filed: 12/30/2003

Examiner: unknown

For: APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A TRUSTED COMPUTING PLATFORM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST AND FEE TO DELETE AND  
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED  
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION  
(37 C.F.R. § 1.48(a))**

1. This amendment and request is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on June 22, 2004.

2. **Addition and/or Deletion of Inventor(s)**

Add the following previously unnamed person(s) as inventor(s) of this application: **DAVID CARROLL CHALLENGER**

Delete the following previously incorrectly named inventor(s): **DARYL CARVIS CROMER**

3. **Attachments**

Attached is:

(a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(b) A statement from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(c) A declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

(d) Written consent of the assignee. 37 C.F.R. § 1.48(a)(4).

## 4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required by 37 C.F.R. § 1.17(i) is paid as follows:

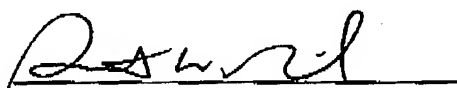
Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 09-1990.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

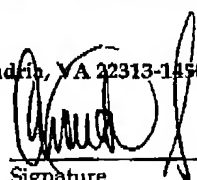
A duplicate of this paper is attached.

Date: 7-30-2004

Reg. No.: 42,098  
Tel. No.: 919-254 1085  
Customer No.: 25299

  
Signature of Practitioner

SCOTT W. REID  
IBM Corporation  
Dept 9CCA/002  
P.O. Box 12195  
Research Triangle Park, NC 27709-2195

Certificate of Mailing/Facsimile 37 CFR §1.8(a)	
I hereby certify that this correspondence is being:	
<u>      </u> deposited with the United States Postal Service	<u>  X  </u> facsimile transmitted to (703) 872-9306 to the:
as first class mail in an envelope with sufficient postage addressed to the:	
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>July 30, 2004.</u>	
<u>Amirah Scarborough</u> Person mailing document	 Signature

Practitioner's Docket No. RPS920030222US1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Carroll Challener et al

Conf. No. 7390

Application No.: 10/749,057

Group No.: 2131

Filed: 12/30/2003

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For: APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A TRUSTED COMPUTING PLATFORM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

Assignee hereby assents to the correction of inventorship filed herewith.

Name of Assignee:

INTERNATIONAL BUSINESS MACHINES CORPORATION

Address of Assignee:

New Orchard Road

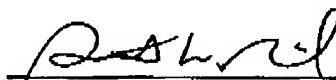
Armonk, New York 10504

STATEMENT UNDER 37 C.F.R. § 3.73(b)--  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

1. International Business Machines Corporation the assignee of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

## PERSON AUTHORIZED TO SIGN

2. I, **SCOTT W. REID** am employed as a staff attorney for the assignee, International Business Machines Corporation. I am authorized to transact all business in the Patent and Trademark Office connected with this patent and to sign this statement on behalf of the assignee.

Scott W. Reid  
Staff Attorney

**BASIS OF ASSIGNEE'S INTEREST**

Ownership by the assignee is established as follows:

A.

1. An assignment from the inventor(s) of the matter identified above, which was recorded on July 27, 2004 at Reel 014908/Frame 0375.

**COPIES OF DOCUMENTS IN CHAIN OF TITLE**

Copies of the Notice of Recordation of Assignment Documents are attached as *Exhibit 1*.

Date: 7-30-2004

Reg. No.: 42,098  
Tel. No.: 919-254-1085  
Customer No.: 25299

  
Signature of Practitioner

SCOTT W. REID  
IBM CORPORATION  
DEPT. 9CCA/02  
P.O. BOX 12195  
RESEARCH TRIANGLE PARK,  
N27709-2195

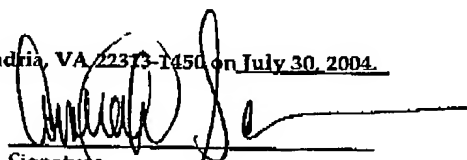
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Amirah Scarborough  
Person mailing document

  
Signature



UNITED STATES DEPARTMENT  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

RPS92C Exhibit 1



\*700102268\*

JULY 29, 2004

PTAS

IBM CORPORATION  
PO BOX 12195  
DEPT 9CCA, BLDG 002  
RESEARCH TRIANGLE PARK, NC 27709

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/27/2004

REEL/FRAME: 014908/0375  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CHAILENER, DAVID CARROLL

DOC DATE: 07/26/2004

ASSIGNOR:  
FREEMAN, JOSEPH WAYNE

DOC DATE: 07/26/2004

ASSIGNOR:  
GOODMAN, STEVEN DALE

DOC DATE: 07/26/2004

ASSIGNOR:  
SPRINGFIELD, RANDALL SCOTT

DOC DATE: 07/26/2004

ASSIGNEE:  
INTERNATIONAL BUSINESS MACHINES  
CORPORATION  
NEW ORCHARD ROAD  
ARMONK, NEW YORK 10504

JUL 30 '04 14:05 FR IBM PCD IPLAW DEPT

9192542649 TO PTO AMENDMENT

P.09

014908/0375 PAGE 2

SERIAL NUMBER: 10749057

FILING DATE: 12/30/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A  
TRUSTED COMPUTING PLATFORM

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



0112112004  
700102269

PATENT

In place of Form PTO-1595

Attorney Docket Number: RPS920030222US1

## RECORDATION FORM COVER SHEET - PATENTS

To the Commissioner for Patents: Please record the attached original document(s) or copy thereof:

## 1. Conveying party data and execution dates of Assignment:

DAVID CARROLL CHALLENGER	July 26, 2004
JOSEPH WAYNE FREEMAN	July 26, 2004
STEVEN DALE GOODMAN	July 26, 2004
RANDALL SCOTT SPRINGFIELD	July 26, 2004

## 2. Receiving party data:

International Business Machines Corporation	Additional names & addresses attached?
New Orchard Road; Armonk, NY 10504	Yes No <input checked="" type="checkbox"/>

## 3. Nature of conveyance: Assignment of Assignor's Interest.

## 4. Patent Application Number: 10/749,057

## 5. Title: Apparatus, System, and Method for Sealing a Data Repository to a Trusted Computing Platform.

## 6. Address to where correspondence concerning document should be mailed:

CUSTOMER NUMBER 26299 IBM Corporation Dept. 9CCA/002 P.O. Box 1219 Research Triangle Park, NC 27709-2195	or faxed to (919) 254-2649
--	----------------------------

## 7. Total number of applications and patents involved: 1

## 8. Total fee (37 CFR §3.41): \$40.00.

9. ☒ This Commissioner is hereby authorized to charge the fee to deposit account number 09-1990.

DO NOT USE THIS SPACE

## 10. Statement and Signature: To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Amirah Scarborough Name of person signing	 Signature	July 27, 2004 Date
--	--	-----------------------

Total number of pages including cover sheet, attachments and documents: 4

Mail documents to be recorded with required cover sheet information to: Mail Stop Assignment Division, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450

## PATENT

## ASSIGNMENT

Whereas, I/ we,

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JUL 30 2004

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- |  |  |
|--|--|
| (1) <b>DAVID CARROLL CHALLENGER</b><br>County of Wake    | City of Raleigh<br>State of North Carolina     |
| (2) <b>JOSEPH WAYNE FREEMAN</b><br>County of Wake        | City of Raleigh<br>State of North Carolina     |
| (3) <b>STEVEN DALE GOODMAN</b><br>County of Wake         | City of Raleigh<br>State of North Carolina     |
| (4) <b>RANDALL SCOTT SPRINGFIELD</b><br>County of Orange | City of Chapel Hill<br>State of North Carolina |

have invented certain improvements in

Title:

**APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A TRUSTED  
COMPUTING PLATFORM**

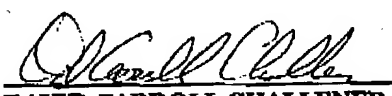



and executed a United States patent application therefor on the following date(s):

- |                                  |                              |
|----------------------------------|------------------------------|
| (1) <u>OKC 7-26-04</u><br>(Date) | (4) <u>7/26/04</u><br>(Date) |
| (2) <u>7/26/04</u><br>(Date)     |                              |
| (3) <u>7-26-04</u><br>(Date)     |                              |

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I/we, the above named, hereby acknowledge my/our prior existing obligation and hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to IBM, its successors and assigns; and I/we hereby agree that IBM may apply for foreign Letters Patent on the invention and I/we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed and sealed:

	<u>CITY/STATE</u>	<u>DATE</u>	<u>SIGNATURE</u>
(1)	<u>RTP/NC</u>	<u>7/26/04</u>	 DAVID CARROLL CHALLENGER
(2)	<u>RTP, NC</u>	<u>7/26/04</u>	 JOSEPH WAYNE FREEMAN
(3)	<u>RTP, NC</u>	<u>7/26/04</u>	 STEVEN DALE GOODMAN
(4)	<u>RTP, NC</u>	<u>7/26/04</u>	 RANDALL SCOTT SPRINGFIELD

**Practitioner's Docket No. RPS920030222US1 PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: David Carroll Challenger et al

Conf. No. 7390

Application No.: 10/749,057

Group No.: 2131

Filed: 12/30/2003

Examiner: unknown

For: APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A TRUSTED COMPUTING PLATFORM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED TO  
A NON-PROVISIONAL PATENT APPLICATION**

I, **DAVID CARROL CHALLENGER** who is being added as an inventor by the Request and Fee to Delete and Add to Original Erroneously Named Inventors submitted to correct the inventorship of this patent application do hereby declare that the inventorship error in failing to include my name as an inventor on this patent application occurred without any deceptive intention on my part.

**DAVID CARROLL CHALLENGER**

  
SIGNATURE

**Practitioner's Docket No. RPS920030222US1 PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: David Carroll Challenger et al

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For: APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A TRUSTED COMPUTING PLATFORM

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING DELETED  
FROM A NON-PROVISIONAL PATENT APPLICATION**

I, **DARYL CARVIS CROMER** who is being deleted as an inventor in the Request and Fee to Delete and Add to Original Erroneously Named Inventors being submitted to correct the inventorship of this patent application do hereby declare that the inventorship error in including my name as an inventor of this patent application occurred without any deceptive intention on my part.

**DARYL CARVIS CROMER**

  
\_\_\_\_\_  
**SIGNATURE**

**PATENT****DECLARATION AND POWER OF ATTORNEY FOR  
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**APPARATUS, SYSTEM, AND METHOD FOR SEALING A DATA REPOSITORY TO A TRUSTED  
COMPUTING PLATFORM**

the specification of which is identified by the attorney (IBM) docket number below:

☒ under Attorney Docket Number: **RP5929030222US1**  
☒ as U.S. Serial Number: **10/749,057**  
☒ filed on: **December 30, 2003**  
and amended on (if applicable):

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application the priority of which is claimed:

**Prior Foreign Application(s):****Priority Claimed?**

Number	Country	Filing Date	Yes	No

I hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**(Application Serial #)****(Filing Date)****(Status)**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1 of 3

RPS920030222US1  
10/749,057

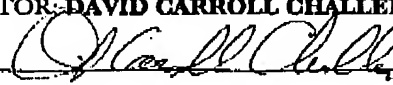
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint all attorneys and/or agents associated with **CUSTOMER NO.: 25299**; and the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Carlos Munoz-Bustamante	Reg. No. 51,349
Joscelyn G. Cockburn	Reg. No. 27,069
John D. Flynn	Reg. No. 35,137
George E. Grosser	Reg. No. 25,629
Daniel E. McConnell	Reg. No. 20,360
Martin J. McKinley	Reg. No. 31,782
Scott W. Reid	Reg. No. 42,098
Jeanine Ray-Yartlett	Reg. No. 39,808

Send correspondence to **CUSTOMER NO.: 36491** and direct all telephone calls to **BRIAN C. KUNZLER** at (801) **994-4646**.

---

FULL NAME OF FIRST INVENTOR: **DAVID CARROLL CHALLENGER**

INVENTOR'S SIGNATURE: 

DATE: 7/26/04

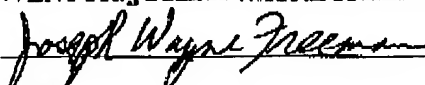
RESIDENCE: 713 Hunting Ridge Road; Raleigh, North Carolina 27615

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

---

FULL NAME OF SECOND INVENTOR: **JOSEPH WAYNE FREEMAN**

INVENTOR'S SIGNATURE: 

DATE: 7-26-04

RESIDENCE: 5820 Glennfiddich Way; Raleigh, North Carolina 27613

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

---

---

FULL NAME OF THIRD INVENTOR: **STEVEN DALE GOODMAN**

INVENTOR'S SIGNATURE: *Steven Dale Goodman*

DATE: 7-26-04

RESIDENCE: 5153 Jeffries Road; Raleigh, North Carolina 27606

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

---

FULL NAME OF FOURTH INVENTOR: **RANDALL SCOTT SPRINGFIELD**

INVENTOR'S SIGNATURE: *Randall Scott Springfield*

DATE: 7/26/04

RESIDENCE: 107 Garden Gate Drive; Chapel Hill, North Carolina 27516

COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

---

3 of 3

RPS920030222US1  
10/749,057